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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,365	10/03/2003	Chia-Chen Lee	3074/113	9815

7590 03/28/2005

Dennison, Schultz & Dougherty  
612 Crystal Square 4  
1745 Jefferson Davis Highway  
Arlington, VA 22202-3417

EXAMINER

YIP, WINNIE S

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED  
APR 05 2005  
GROUP 3600

Office Action Summary

Application No.

10/677,365

Applicant(s)

LEE, CHIA-CHEN

Examiner

Winnie Yip

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This is a first office action .

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Sakuragi (US Patent No. 5,052,665).

Sakuragi shows and discloses a bumper made of resilient material such as rubber and comprising a securing end (221, 22) capably secured under the top end of a shank of an umbrella, a serpentine middle portion (21) formed adjacent to the securing end and operationally compressed to provide an shock-absorbing efficiency, an abutting end (231, 23) formed on opposing end of the serpentine middle portion and capable for operationally stopping the sliding ring when mounted to the umbrella, and a straight through hole defined through the two ends and middle portion for allowing the bumper enable to mount on the shank.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Conner (US Patent No. 5,297,570).

Conner shows and discloses a bumper (20) made of resilient material and comprising inherently an upper securing end capably secured under the top end of a shank of an umbrella and an a serpentine middle portion (20) formed adjacent to the securing end and operationally

Art Unit: 3637

compressed to provide an shock-absorbing efficiency, a lower abutting end formed on opposing end of the serpentine middle portion and capable to abut and operationally stop the sliding ring when mounted to the umbrella, and a straight through hole defined through the two ends and middle portion for allowing the bumper enable to mount on the shank.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakuragi '665 as applied to claim 1 above.

Sakuragi teaches the abutting end having multiple slits (231, 221) and being shaped as a circular block, but does not define the bumper having the securing end having a narrow distal edge and abut end being a cubic block as claimed. It would have been obvious to one ordinary skill in the art to modify the bumper of Sakuragi having one end being formed with a narrow portion and the other end having a shape as a cubic block as claimed for easily mounted to another subjects since applicant has not disclosed that ends of the bumper having a specific shape provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected applicant's invention to perform equally well with very shapes of ends of the bumpers of Sakuragi as claimed.

Art Unit: 3637

### *Citations*

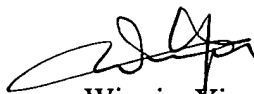
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chamberlain '872, Ragner et al. '153, Morell '196, and Zaparka '216 teach various bumpers having a resilient a serpentine portion as similar to the claimed invention. Lee '047 teaches a bumper mounted on an umbrella.

### *Inquiry Contacts*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Winnie Yip whose telephone number is 703-308-2491 (or 571-272-6870 after April 7, 2005). The examiner can normally be reached on M-F (9:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486 (or 571-272-6867 after April 7, 2004). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Winnie Yip  
Primary Examiner  
Art Unit 3637

wsy

March 21, 2005

<b>Notice of References Cited</b>	Application/Control No. 10/677,365	Applicant(s)/Patent Under Reexamination LEE, CHIA-CHEN	
	Examiner Winnie Yip	Art Unit 3637	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-3,482,872	12-1969	CHAMBERLAIN THOMAS E	297/472
	B	US-5,052,665	10-1991	Sakuragi, Akihiko	267/220
	C	US-5,297,570	03-1994	Conner, Warren D.	135/16
	D	US-5,217,196	06-1993	Morell, Alice R.	248/314
	E	US-6,264,153	07-2001	Ragner et al.	248/311.2
	F	US-6,328,047	12-2001	Lee, Chorng-Cheng	135/20.1
	G	US-2,063,216	12-1936	ZAPARKA EDWARD F	267/30
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.